

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/008843

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K9/20 A61K9/28

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-------------------------|
| X | WO 95/22320 A (GLAXO WELLCOME INC) 24 August 1995 (1995-08-24) examples | 1-6, 9-13, 19, 21 |
| X | WO 03/007919 A (PHOQUS LIMITED; LANGRIDGE, JOHN, RICHARD; COLLINS, JANINE, CLARE; TIAN) 30 January 2003 (2003-01-30) examples | 1-7, 9-13, 19, 21 |
| X | EP 0 431 877 A (LABORATOIRES SMITH KLINE & FRENCH; SMITHKLINE BEECHAM LABORATOIRES PHA) 12 June 1991 (1991-06-12) examples 11-15 | 1-7, 9-13, 19, 21 |
| | ----- -/- | |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

9 May 2005

Date of mailing of the international search report

20/05/2005

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|--|-------------------------|
| X | WO 00/28989 A (SMITHKLINE BEECHAM P.L.C; LEWIS, KAREN; LILLIOTT, NICOLA, JAYNE; MACKE) 25 May 2000 (2000-05-25) example 4 | 1-7, 9-13, 19, 21 |
| A | WO 01/82867 A (AEROPHARM TECHNOLOGY, INC) 8 November 2001 (2001-11-08) the whole document | 1-21 |

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Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
Although claim 21 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/008843

| Patent document cited in search report | | Publication date | Patent family member(s) | Publication date |
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| WO 9522320 | A | 24-08-1995 | US 5407687 A AU 1920595 A WO 9522320 A1 ZA 9501374 A | 18-04-1995 04-09-1995 24-08-1995 10-01-1996 |
| WO 03007919 | A | 30-01-2003 | BR 0211156 A CA 2457308 A1 CN 1556697 A EP 1406597 A1 WO 03007919 A1 JP 2005501039 T | 10-08-2004 30-01-2003 22-12-2004 14-04-2004 30-01-2003 13-01-2005 |
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| WO 0028989 | A | 25-05-2000 | AU 768994 B2 AU 3033800 A BG 105568 A BR 9915285 A CA 2351058 A1 CN 1348369 A CZ 20011629 A3 WO 0028989 A1 EP 1131070 A1 HR 20010343 A1 HU 0104303 A2 ID 28783 A JP 2002529504 T NO 20012303 A NZ 511614 A OA 11677 A PL 347634 A1 SK 6442001 A3 TR 200101333 T2 TW 592694 B US 2004081697 A1 ZA 200103843 A | 15-01-2004 05-06-2000 31-01-2002 07-08-2001 25-05-2000 08-05-2002 12-12-2001 25-05-2000 12-09-2001 30-06-2002 28-03-2002 05-07-2001 10-09-2002 04-07-2001 19-12-2003 12-01-2005 22-04-2002 03-12-2001 22-10-2001 21-06-2004 29-04-2004 14-05-2002 |
| WO 0182867 | A | 08-11-2001 | AU 5745601 A CA 2407713 A1 EP 1278513 A2 JP 2004516234 T WO 0182867 A2 | 12-11-2001 08-11-2001 29-01-2003 03-06-2004 08-11-2001 |